

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

HILDA L. SOLIS, Secretary of Labor,)	
United States Department of Labor,)	
)	Case No. 10-CV-220 (JMR/LIB)
Plaintiff,)	
)	
v.)	
)	
LOCAL 9460, UNITED STEELWORKERS)	
OF AMERICA)	
)	
Defendant.)	
_____)	

STIPULATION OF SETTLEMENT

Plaintiff, Hilda L. Solis, Secretary of Labor (“Secretary” or “Plaintiff”), and Defendant United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers Union, Local 9460 (“Local 9460” or “Defendant”), by and through their undersigned counsel, hereby stipulate and agree to settlement of this dispute as follows, and respectfully request that the court so order:

1. This action was brought by the Secretary pursuant to Title IV of the Labor-Management Reporting and Disclosure Act of 1959 (as amended), 29 U.S.C. § 401, *et seq.*, (“the Act”), for the purpose of voiding the results of the April 16, 2009 election of union officers for the offices of President, Vice-President, Guide, Inner Guard, Outer Guard, and three Trustee positions, conducted by Local 9460 and requesting a new election under the supervision of the Secretary of Labor.
2. In her complaint the Secretary contends that Local 9460 violated Section 401(e) of the Act, 29 U.S.C. § 481(e), during the conduct of the election, by failing to

mail the joint nominations/elections notice to each Local 9460 member at least 15 days prior to the election.


3. Local 9460 does not admit that it violated any of the aforementioned provisions of Title IV in its April 16, 2009 election.
4. The Parties, in settlement of this action, hereby stipulate and agree that the Secretary of Labor shall supervise Local 9460's next regularly scheduled election of officers, including nominations, for all offices, to be completed no later than April 30, 2012.
5. The supervised election shall be conducted in accordance with Title IV of the Act (29 U.S.C. § 481, *et seq.*) and, insofar as lawful and practicable, in accordance with the Constitution of United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (the "International"), the International's Local Union Elections Manual (including supplementary provisions for Amalgamated Local Unions) ("Elections Manual"), and the International's Bylaws for Amalgamated Locals ("Bylaws").
6. All decisions as to the interpretation or application of Title IV of the LMRDA, and the International's Constitution, Elections Manual, and Bylaws relating to the supervised election are to be determined by the Secretary and her decision shall be final, subject to challenge in this court.
7. The Court shall retain jurisdiction of this action, and after completion of the supervised election, Plaintiff shall certify to the Court the name of the persons so elected, and that such election was conducted in accordance with Title IV of the Act, and insofar as lawful and practicable, in accordance with the provisions of

the International's Constitution, Elections Manual, and Bylaws. Upon approval of such certification, the Court shall enter a Judgment declaring that such persons have been elected as shown by such certification to serve a term of three years as set forth by the Act and the International's Constitution, Elections Manual, and Bylaws.

8. Upon approval of the certification, the Court shall enter a Judgment declaring that the persons identified in the certification have been elected, and further providing that each party shall bear its own costs, including attorney's fees, and other expenses incurred by the party in connection with any stage of this proceeding.

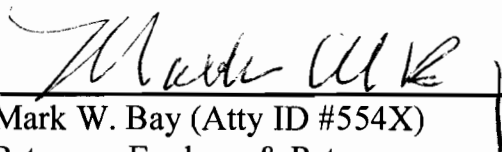
B. TODD JONES
United States Attorney

Dated: July 21, 2011



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